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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 \$91,830.00 IN U.S. CURRENCY,
15 Defendant.
16

No. LA CV15-06775-JAK (ASx)

**CONSENT JUDGMENT OF
FORFEITURE**

JS-6

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18 ARMAN MOHAMMED NAZIR,
19 Claimant.
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23 This civil forfeiture action was commenced on September 11, 2015 with the filing
24 of an under seal complaint (Dkt. 3) against the \$91,830.00 in U.S. Currency (the
25 “defendant currency”) that was seized on November 6, 2014, during the course of a
26 traffic stop of a Mercedes Benz vehicle driven by Arman Mohammed Nazir (“Nazir”) in
27 Claremont, California. The complaint was unsealed on February 7, 2017 (Dkt. 20), and
28 served on February 16, 2017 (Dkt. 21). Nazir filed a claim of interest on March 23, 2017

1 (Dkt. 23), and an answer to the complaint on May 4, 2017 (Dkt. 28). No other parties
2 have appeared in this case and the time for filing claims of interest and answers has
3 expired.

4 Plaintiff United States of America and Nazir have reached an agreement that is
5 dispositive of the action. That agreement includes the terms of this Consent Judgment of
6 Forfeiture.

7 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

8 1. This Court has jurisdiction over the parties and the subject matter of this
9 action.

10 2. Notice of this action has been given in accordance with law. All potential
11 claimants to the defendant currency, other than Nazir, are deemed to have admitted the
12 allegations of the Complaint. The allegations in the Complaint are sufficient to establish
13 a basis for forfeiture.

14 3. The United States of America shall have judgment as to **\$46,830.00** of the
15 defendant currency and all interest earned on the entirety of the defendant currency since
16 seizure, and no other person or entity shall have any right, title or interest therein. The
17 United States is ordered to dispose of said funds in accordance with law.

18 4. **\$45,000.00** of the defendant currency, without interest, shall be returned to
19 Nazir by either check or wire transfer. If the United States elects to make the payment
20 by check, the check shall be payable to “Gerard Fox Law, P.C. Client Trust Account,”
21 and mailed to Thomas P. Burke Jr., Esq., Gerard Fox Law, P.C., 1880 Century Park
22 East, Suite 1410, Los Angeles, California 90067. If the United States elects to make the
23 payment by wire transfer, the funds shall be wire transferred to the Gerard Fox Law, P.C.
24 Client Trust Account. Nazir and his attorney shall provide any and all information,
25 including personal identifiers, needed to process the return of these funds according to
26 federal law.

27 5. Nazir releases the United States of America, its agencies, agents, and
28 officers, including employees, officers and agents of the Drug Enforcement

1 Administration, from any and all claims, actions or liabilities arising out of or related to
2 this action or the underlying seizures, including, without limitation, any claim for
3 attorney's fees, costs or interest which may be asserted on behalf of Nazir, whether
4 pursuant to 28 U.S.C. § 2465 or otherwise. If Nazir has submitted a petition for
5 remission concerning the defendant currency, said petition is withdrawn and Nazir has
6 waived any rights he may have to seek remission or mitigation of the forfeiture of the
7 defendant currency to be forfeited by this judgment.

8 6. This agreement is not admissible in any proceeding, civil or criminal,
9 except for purposes of enforcing or interpreting the terms of the agreement. The United
10 States agrees that it will not seek forfeiture of any of the funds being released to Nazir
11 pursuant to the terms of this agreement.

12 7. Each of the Parties shall bear its own attorney's fees and costs in connection
13 with this matter.

14 8. The Parties waive all appeal rights with respect to this forfeiture matter.

15 9. There was reasonable cause for the seizure of the defendant currency and
16 institution of these proceedings. This judgment shall be construed as a certificate of
17 reasonable cause pursuant to 28 U.S.C. § 2465.

18 IT IS SO ORDERED.

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20 Dated: August 24, 2017



JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE

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28 [Signatures of parties appear on the next page]

Approved as to Form and Content:

Dated: August 9, 2017

SANDRA R. BROWN
Acting United States Attorney
LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division
STEVEN R. WELK
Chief, Asset Forfeiture Section

/s/

KATHARINE SCHONBACHLER
Assistant United States Attorney

Attorneys for Plaintiff
United States of America

Dated: August 7, 2017

GERARD FOX LAW, P.C.

/s/

THOMAS P. BURKE JR., ESQ.

Attorneys for Claimant
ARMAN MOHAMMED NAZIR

Dated: July 31, 2017

/s/

ARMAN MOHAMMED NAZIR
Claimant